

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:12-cv-02009-TGW**

Elkins v. Federal Aviation Administration et al
Assigned to: Magistrate Judge Thomas G. Wilson
Cause: 05:0552 Freedom of Information Act

Date Filed: 09/05/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**David J. Elkins**

represented by **David J. Elkins**
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PRO SE

V.

Defendant**Federal Aviation Administration**

represented by **Erik Kenneth Stegeby**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Agents Unknown***TERMINATED: 09/11/2012*

represented by **Erik Kenneth Stegeby**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Unknown Agency A**

represented by **Erik Kenneth Stegeby**
(See above for address)
LEAD ATTORNEY
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Defendant**Unknown Agency B**

represented by **Erik Kenneth Stegeby**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/05/2012	<u>1</u>	COMPLAINT against Federal Aviation Administration, Agents Unknown (Filing fee \$ 350 receipt number TPA 13073) filed by David J. Elkins. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibits)(BES) (Entered: 09/06/2012)
09/05/2012	<u>2</u>	Summons Issued as to Federal Aviation Administration (BES) (Entered: 09/06/2012)

09/07/2012	<u>3</u>	RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 2. Notice of pendency of other actions due by 9/21/2012. Signed by Judge Mary S. Scriven on 9/7/2012. (APV) (Entered: 09/07/2012)
09/07/2012	<u>4</u>	INTERESTED PERSONS ORDER. Certificate of interested persons and corporate disclosure statement due by 9/21/2012. Signed by Judge Mary S. Scriven on 9/7/2012. (APV) (Entered: 09/07/2012)
09/11/2012	<u>5</u>	AMENDED COMPLAINT against Federal Aviation Administration, Unknown Agency A, Unknown Agency B filed by David J. Elkins.(BES) (Entered: 09/12/2012)
09/11/2012	<u>6</u>	Summons issued as to Unknown Agency A, Unknown Agency B. (BES) (Entered: 09/12/2012)
09/18/2012	<u>7</u>	RETURN of service executed on 9/18/2012 by David J. Elkins as to Federal Aviation Administration. (ARB) (Entered: 09/19/2012)
09/24/2012	<u>8</u>	RETURN of service unexecuted by David J. Elkins as to Unknown Agency A. (ARB) (Entered: 09/25/2012)
09/24/2012	<u>9</u>	RETURN of service unexecuted by David J. Elkins as to Unknown Agency B. (ARB) (Entered: 09/25/2012)
09/24/2012	<u>10</u>	DECLARATION of Shirley M. Elkins re <u>8</u> Return of service unexecuted, <u>9</u> Return of service unexecuted by David J. Elkins. (Attachments: # <u>1</u> Mailing Envelope)(ARB) (Entered: 09/25/2012)
11/27/2012	<u>11</u>	MOTION for entry of clerk's default against Federal Aviation Administration by David J. Elkins. (BSN) Motions referred to Magistrate Judge Thomas G. Wilson. (Entered: 11/27/2012)
11/27/2012	<u>12</u>	MOTION for summary judgment by David J. Elkins. (Attachments: # <u>1</u> order)(BSN) (Additional attachment(s) added on 11/28/2012: # <u>1</u> Order) (BSN). (Entered: 11/27/2012)
12/04/2012	<u>13</u>	ORDER denying <u>11</u> Motion for entry of default; denying without prejudice <u>12</u> Motion for summary judgment. Signed by Judge Mary S. Scriven on 12/4/2012. (ESG) (Entered: 12/04/2012)
12/06/2012	<u>14</u>	MOTION for miscellaneous relief, specifically to reissue summons to allow sufficient service pursuant to FRCP 4(i)(1)(A)–(c) by David J. Elkins. (BSN) (Entered: 12/07/2012)
12/10/2012	<u>15</u>	ENDORSED ORDER GRANTING <u>14</u> Plaintiff's Motion to Reissue Summons to Allow Sufficient Service. Plaintiff shall have up to and including January 30, 2013 to complete service on Defendants. Plaintiff is also directed to read the Federal Rules of Civil Procedure, in particular Rule 4, and comply with the requirements listed. Signed by Judge Mary S. Scriven on 12/10/2012. (ESG) (Entered: 12/10/2012)
12/11/2012	<u>16</u>	Summons issued as to Federal Aviation Administration. (BSN) (Additional attachment(s) added on 12/12/2012: # <u>1</u> Summons) (BES). (Entered: 12/11/2012)
12/13/2012	<u>17</u>	NOTICE of declaration of service by David J. Elkins (BSN) (Entered: 12/13/2012)
12/13/2012	<u>18</u>	PROOF of service by David J. Elkins as to Dept. of Justice. (BSN) (Entered: 12/13/2012)
12/26/2012	<u>19</u>	PROOF of service upon Dept. of Justice by David J. Elkins. (Attachments: # <u>1</u> Mailing Envelope)(DG) (Entered: 12/27/2012)
01/04/2013	<u>20</u>	ANSWER and affirmative defenses to <u>5</u> Amended complaint by Federal Aviation Administration.(Stegeby, Erik) (Entered: 01/04/2013)
01/17/2013	<u>21</u>	MOTION for miscellaneous relief, specifically to file electronically by David J. Elkins. (BSN) (Entered: 01/18/2013)
01/22/2013	<u>22</u>	ORDER granting <u>21</u> Plaintiff's Motion for Presiding Judge to Assign CM/ECF Filing Number to Plaintiff. Signed by Judge Mary S. Scriven on 1/22/2013. (ESG)

		(ESG). (Entered: 01/22/2013)
01/30/2013	<u>23</u>	MOTION for miscellaneous relief, specifically to redesignate action as a Track One case , MOTION for Extension of Time to File <i>Case Management Report</i> by Federal Aviation Administration. (Stegeby, Erik) (Entered: 01/30/2013)
01/31/2013	<u>24</u>	MOTION for miscellaneous relief, specifically opposing any redesignation of this case contraversey to a track one case under LRCP 3.05(b)(1) by David J. Elkins. (BSN) (Entered: 01/31/2013)
01/31/2013	<u>25</u>	MEMORANDUM in support re <u>24</u> Motion for Miscellaneous Relief filed by David J. Elkins. (BSN) (Entered: 01/31/2013)
02/08/2013	<u>26</u>	ENDORSED ORDER GRANTING in part <u>23</u> Defendant's Opposed Motion to Re-designate Action as a Track One Case or in the Alternative, Unopposed Motion to Extend the Deadline for filing a Case Management Report; and GRANTING <u>24</u> Plaintiff's Motion Opposing any Re-designation. This matter shall remain designated as a Track Two case. Parties shall have through and including March 8, 2013 to file a case management report. Signed by Judge Mary S. Scriven on 2/8/2013. (APV) (Entered: 02/08/2013)
02/28/2013	<u>27</u>	MOTION for leave to file CMR separately from defendants by David J. Elkins. (BSN) (Entered: 02/28/2013)
02/28/2013	<u>28</u>	MEMORANDUM in support re <u>27</u> Motion for Leave to file document filed by David J. Elkins. (BSN) (Entered: 02/28/2013)
03/07/2013	<u>29</u>	UNILATERAL CASE MANAGEMENT REPORT. (Attachments: # <u>1</u> Certificate of Interested Persons, # <u>2</u> Magistrate Consent Form, # <u>3</u> Certificate of Service)(Elkins, David) Modified on 4/24/2013 (CD). (Entered: 03/07/2013)
03/07/2013	<u>30</u>	Proposed MOTION for Hearing <i>Pretrial Conference</i> by All Defendants. (Attachments: # <u>1</u> Plaintiff's Declaration in Support)(Elkins, David) (Entered: 03/07/2013)
03/08/2013	<u>31</u>	Proposed MOTION for Disclosure <i>Motion to Compel Disclosure of Agencies A and B</i> by All Parties. (Attachments: # <u>1</u> Plaintiff's Declaration in Support of Motion, # <u>2</u> Certificate of Service)(Elkins, David) Motions referred to Magistrate Judge Thomas G. Wilson. (Entered: 03/08/2013)
03/12/2013	<u>32</u>	NOTICE to the Courts to take judicial notice regarding <u>30</u> Proposed MOTION for Hearing <i>Pretrial Conference</i> , <u>31</u> Proposed MOTION for Disclosure <i>Motion to Compel Disclosure of Agencies A and B</i> by David J. Elkins. (Attachments: # <u>1</u> Declaration errata, # <u>2</u> Declaration errata, # <u>3</u> Main Document Motion correction errata)(Elkins, David) (Entered: 03/12/2013)
03/13/2013	<u>33</u>	RESPONSE to Motion re <u>27</u> MOTION for leave to file CMR separately from defendants filed by Federal Aviation Administration. (Stegeby, Erik) (Entered: 03/13/2013)
03/15/2013	<u>34</u>	ORDER denying <u>31</u> Motion for Disclosure. Signed by Magistrate Judge Thomas G. Wilson on 3/14/2013. (CAW) (Entered: 03/15/2013)
03/20/2013	<u>35</u>	CONSENT to trial by U.S. Magistrate Judge by Federal Aviation Administration. (Stegeby, Erik) (Entered: 03/20/2013)
03/26/2013	<u>36</u>	ORDER approving consent to jurisdiction by US Magistrate Judge. Case reassigned to Magistrate Judge Thomas G. Wilson. Signed by Judge Mary S. Scriven on 3/25/2013. (APV) (Entered: 03/26/2013)
03/29/2013	<u>37</u>	NOTICE to the Court re: ruling on outstanding motion to file case management report separately pursuant to Local Rule 3.05(c)(2)(d) by David J. Elkins. (Elkins, David) Modified on 4/4/2013 to edit text of entry. (AG) (Entered: 03/29/2013)
03/29/2013	<u>38</u>	MOTION to extend time to for service of summons to unknown agencies by David J. Elkins. (Elkins, David) Modified on 4/4/2013 to edit text. (AG) (Entered: 03/29/2013)

04/01/2013	<u>39</u>	RESPONSE to Motion re <u>30</u> Proposed MOTION for Hearing <i>Pretrial Conference</i> filed by Federal Aviation Administration. (Stegeby, Erik) (Entered: 04/01/2013)
04/03/2013	<u>40</u>	ORDER granting <u>27</u> Motion for Leave to File Case Management Report—previously filed report <u>29</u> accepted. Defendant may file its own report in 14 days. The Plaintiff's Motion for Hearing <u>30</u> is DENIED. Signed by Magistrate Judge Thomas G. Wilson on 4/2/2013. (CAW) Modified on 4/4/2013 to correct hyperlink (kma). (Entered: 04/03/2013)
04/08/2013	<u>41</u>	MOTION to Compel Disclosure of Names of Agency A & Agency B by David J. Elkins. (Attachments: # <u>1</u> Motion for Discovery, # <u>2</u> Order Granting Plaintiff's Motion to Compel)(Elkins, David) (Entered: 04/08/2013)
04/11/2013	<u>42</u>	Proposed MOTION to Amend/Correct <u>5</u> Amended Complaint by David J. Elkins. (Attachments: # <u>1</u> Main Document, # <u>2</u> Supplement)(Elkins, David) (Entered: 04/11/2013)
04/12/2013	<u>43</u>	MOTION to Amend/Correct <u>41</u> MOTION to Compel Disclosure of Names of Agency A & Agency B by David J. Elkins. (Elkins, David) (Entered: 04/12/2013)
04/15/2013	<u>44</u>	NOTICE of supplemental authority by David J. Elkins (Elkins, David) (Entered: 04/15/2013)
05/03/2013	<u>45</u>	ORDER denying as moot <u>38</u> Motion to extend time for service; denying <u>41</u> Motion to Compel FAA to disclose names of Unknown Agency A and Unknown Agency B; denying <u>43</u> motion to amend/correct motion to compel; granting <u>42</u> motion to amend/correct complaint; The plaintiff has 10 days from the filing of this order to file the amended complaint. Signed by Magistrate Judge Thomas G. Wilson on 5/3/2013. (JNB) (Entered: 05/03/2013)
05/09/2013	<u>46</u>	AMENDED COMPLAINT <i>Second Amended Complaint with Exhibits</i> against Federal Aviation Administration filed by David J. Elkins.(Elkins, David) (Entered: 05/09/2013)
05/10/2013	<u>47</u>	MOTION for Reconsideration re <u>45</u> Order on motion to extend timeOrder on motion to compelOrder on Motion to Amend/Correct by David J. Elkins. (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement)(Elkins, David) (Entered: 05/10/2013)
05/16/2013	<u>48</u>	Proposed MOTION to Amend/Correct <u>29</u> Case Management Report by David J. Elkins. (Elkins, David) (Entered: 05/16/2013)
05/21/2013	<u>49</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>4</u> Interested persons order by Federal Aviation Administration. (Stegeby, Erik) (Entered: 05/21/2013)
05/23/2013	<u>50</u>	ANSWER to <u>46</u> Amended Complaint by Federal Aviation Administration.(Stegeby, Erik) (Entered: 05/23/2013)
05/23/2013	<u>51</u>	Proposed MOTION for Reconsideration by David J. Elkins. (Attachments: # <u>1</u> Supplement)(Elkins, David) (Entered: 05/23/2013)